

Summary of Substantive Changes (Statement of Purpose)

The DCFS Family Services Policy and Procedures (FSPP) Manual, DCFS forms (CFS-300, CFS-310, CFS-312A, CFS-312B, CFS-428A, CFS-428B, CFS-452, and CFS-6024) and publications (PUB-52 and PUB-357) were revised in order to comply with legislation enacted during the 2003 legislative session. Legislation that led to the most significant revisions is based in the areas of home studies, out-of-state protection orders, grandparent visitation rights, Child Maltreatment Act, chemical exposure of children, progress reports, mandated reporters, written notification of changes in placement, orders of protection, juvenile code amendments and disclosure of counseling records. The summary of the revision based on the Act and citations are listed below. Additional revisions, unrelated to legislative changes, are also listed.

Home Studies – Policy revised to comply with Act 338 that specifies that the juvenile division of circuit court may order DCFS to conduct home studies without a finding of indigence. (X-A)

Out-of-state protection orders – Policy and procedure revised to comply with Act 651 that provides for the protection of out of state protection orders. (II-E, II-E10)

Grandparent visitation rights – Policy and procedures revised to comply with Act 652 that revises the basis for circuit courts to grant grandparents and great grandparents visitation rights with a grandchild. (VI-B, VI-B1)

Child Maltreatment Act – Policy, procedures and publication revised to comply with ACT 758 that amends the Child Maltreatment Act. The revisions pertain to amendments of definitions, reasonable fees for Central Registry records, disclosure of Central Registry records, notification, Hotline acceptance of reports, and access to publicly supported schools and institutions during the course of an investigation. (II-C, II-D, II-D3, II-D4, II-D5, II-E, II-E5, II-E6, II-E8, II-E10, II-E11, II-G, VII-C1, IX-A3, IX-D2, Glossary {abandonment}, FSPP Appendix V, PUB-52 and PUB-357.

Children exposed to chemical substances – Revised policy and publication to comply with Act 930 that creates a criminal offense for exposing a child to a controlled substance or a chemical substance intended for use in the manufacture of a controlled substance. (FSPP Appendix VIII, PUB-357)

Progress Reports – Procedures revised to comply with Act 988 that prescribes the responsibilities of service providers to respond to requests for progress reports on juveniles in out-of-home placement and other reporting requirements. (III-A4, VI-F1)

Mandated Reporters – Policy and procedure revised to comply with Act 1039 that adds CASA program staff and volunteers, juvenile intake and probation officers, and clergymen to the list of persons required to report suspected child maltreatment to the child abuse hotline. (II-C, V-E3, Glossary {mandated reporter})

Summary of Substantive Changes (continued)

Written Notification of Changes in Placement – Policy, procedure and form revised to comply with Act 1054 that requires written notice to the birth parent and the child’s attorney ad litem from DHS when changes in the child’s foster care placement occur. (VII-D, VII-D1 and CFS-300)

Disclosure of Counseling Records – Policy revised to comply with Act 1157 that amends the Child Welfare Agency Licensing Act pertaining to disclosure of counseling records. (I-F)

Order of Protection – Policy and procedure revised to comply with Act 1221 that allows any adult, as well as family or household members, to file a petition for an order of protection on behalf of a minor family or household members, including a married minor. (II-E, II-E10)

Juvenile Code Amendments – Policy and procedure revised to comply with Act 1319 that makes various changes to the Juvenile Code. The changes include definition amendments (abuse, child, fast track, sexual abuse, and trial placement), disposition of Families In Need of Services (FINS) cases, placement and custody of juveniles with relatives, and court ordered family services. (II-E10, II-I, II-I-1, VI-A, VI-A1, VI-B, VI-B1, VI-F, VIII-C)

Other changes include clarifications to Interstate Compact on the Placement of Children (ICPC) policy and policy development to address out-of-home (non-DHS custody) relative placement, and Title IV-E requirements.

Policy VI-G (Interstate Compact on Placement of Children) through Procedure VI-G15 (Request for a Priority Placement) – Revised policy/procedures to clarify placements that qualify as ICPC, responsibilities of each state, home study requirements, ICPC travel, progress reports, terminating an ICPC case, exceptions to policy and Regulation 7 requirements.

Policy VI-J and Procedure VI-J1 (Out-of-Home (non-DHS custody)/Relative Placement) – A new policy and procedural section were developed to address situations wherein the Department does not have custody of a child but still provides necessary services.

Title IV-E – Policy I-E (Compliance with Multiethnic Placement Act) - In accordance with Title IV-E requirements, added provisions related to denying prospective foster and adoptive parent applicants based on race or national origin; and diligent recruitment of foster and adoptive parents who reflect diversity of children needing placement.

Policy VIII-G (Adoption Subsidy) - added stipulations identifying an Adoption Assistance Agreement as a written binding agreement between the adoptive parent, the state and other agencies.

Summary of Substantive Changes (continued)

CFS-300 (Parent/Attorney Ad Litem Notification of Changes in Out-of-Home Placement)

- New form developed that is used to notify required persons of the placement change and reason.

CFS-310 (Notice of Child Maltreatment Allegation)

- Expanded the number of children's name that can be listed.
- Added a "drop down" pick list for the on-line version of the CFS-310.
- Revised procedure to allow routing to the alleged offender in order to comply with CAPTA regulations.

CFS-312A (DCFS Child Maltreatment Assessment Determination Notification)

- Form has been adapted into a two-part form. The CFS-312a provides notification to all parties except the underaged juvenile aggressor.

CFS-312B (DCFS Child Maltreatment Assessment Determination Notification Uunderaged Juvenile Aggressor)

- Form has been adapted into a two-part form. The CFS-312B provides notification only to the underaged juvenile aggressor.

CFS-428A (Adoption Assistance Agreement for State Funded Subsidy Payments)

- Under Subsidy Note, added criteria for approving a subsidy based on developmental delay.
- Under Certification of Adoption Subsidy Eligibility, re-worded section and deleted references to Family Service Worker procedures (agency policy).

CFS-428B (Adoption Assistance Agreement for Federal IV-E Funded Assistance)

- Under Provisions of Agreement, replaced "does" with "can".
- Under Section III Certification of Adoption Subsidy Eligibility, re-worded section and deleted references to Family Service Worker procedures (agency policy).
- Under Section IV Termination, added the sentence that reads, "The adoptive parent must notify the Division if a change occurs."

CFS-452 (Relative Placement Kinship Care/Relative Foster Care Verification)

- New form developed to document which option for placement of the child is chosen by the relative.

CFS-6024 (Permanency Planning Court Report)

- Section VI Sibling Information/Relative Visitation – added a questions that reads, "Is there a recommendation to continue visitation with siblings and other relatives after TPR?"
- Instructions Section VI – added, "... if it is in the child's best interest."

PUB-52 (Child Protective Services: A Caretaker's Guide)

- Revised for clarification purposes.

PUB-357 (Child Maltreatment Assessment Protocol)

- Revised to comply with state legislation pertaining to exposure to a controlled substance, the juvenile code, and the Child Maltreatment Act.